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for the

Summit County Emergency Operations Plan

2012

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BASIC PLAN

I. Purpose and Scope

1. Purpose

The purpose of this Emergency Operations Plan is to provide a framework to help responders and the governmental jurisdictions of Summit County manage an emergency or disaster. This document is meant to help ensure that the County of Summit is prepared to handle any situation, and to reduce the losses in both terms of human life and property damage. This document is not designed to cover every possible scenario, but is intended to provide the framework for broad tasks and actions that are specific to individual hazards, emergencies, and disasters. This document shall include the basic plan, functional annexes, and hazard specific appendices.

2. Scope

The Emergency Operations plan is designed to prevent, minimize, prepare for, respond to, and recover from technological, human cause, human accidental, and natural disasters. This document will define the responsibilities, actions, and interactions between all response organizations acting on behalf of Summit County and its residents.

II. Situation and Assumption

1. Situation

1. Summit County is located in North East Ohio.
2. According to the 2000 Census, the population of Summit County is 542,899.
3. Summit County is comprised of 31 political subdivisions.
4. There are many modes of transportation running through Summit County including a rail system, five airports, 11 heliports, and several major highways, most notably Interstates 76 and 77 and State Route 8.
5. Several special needs populations reside in Summit Country including: daycares, schools, physically and mentally disabled, non-English speaking, homeless, and elderly.
6. High probability hazards include: winter storms, transportation incidents, Hazardous Material incidents, and tornadoes.

2. Assumptions

1. An emergency or disaster may occur at any time of day or night, weekend, or holiday, and with little to no warning.
2. Close working relationships must be established among key responding organizations prior to a crisis situation.
3. Disasters may require coordination and cooperation among diverse governmental and private organizations in order to protect the lives and

- property of Summit County residents.
4. The county and its political subdivisions have capabilities including man power, equipment, supplies, and skills of public and private agencies and groups that will maximize preservation of lives and property in the event of a disaster.
 5. Mitigation and prevention activities conducted prior to the occurrence of a disaster will result in a potential reduction in loss of life, injuries, and property damage.
 6. Organizations tasked in this document are aware of their emergency responsibilities and will fulfill these requirements in a disaster.

III. Concept of Operations

1. The basis for delegation of emergency authority is to ensure that emergency-related legal authority can be exercised. It is legally designated in the Ohio Revised Code, Chapters 5502, 305, 307, 311, and 733.
2. The primary mission of Emergency Management is to lead, coordinate, and support the emergency management system, in order to protect lives and prevent the loss of property from all hazards. Meeting this mission is facilitated by dividing emergency management activities in the following categories: mitigation, preparedness, response, and recovery.

1. Mitigation

Mitigation involves activities that are undertaken prior to a potential disaster in order to lessen the impact of the disaster. Mitigation is used to lessen the loss of life and property. When using mitigation, the county must assume that it is exposed to a risk whether or not an emergency ever occurs. Mitigating for an emergency ensures the county that it can handle an emergency if one does occur.

Mitigation includes planning and action in the following areas:

- a) Building Codes
- b) Insurance
- c) Construction Standards
- d) Risk Mapping
- e) Hazard Research
- f) Rules and Regulations
- g) Health and Safety Inspections
- h) Public Education

2. Preparedness

Preparedness involves activities that should be put into action when an emergency is unavoidable. These preparedness activities should be used when planning for any emergency. When put together, these activities promote a coordinated response which is vital to having a successful emergency response.

Preparedness activities include the following:

- a) Completion of Hazard Analyses
- b) Functional Planning
- c) Mutual Aid Agreements
- d) Personnel Training
- e) Testing and Exercising the Emergency Operations Plan
- f) Continuity of Government
- g) Emergency Alert System
- h) Developing an Emergency Operations Center

3. Response

Response is considered any action that takes place immediately before, during, or after an emergency occurs. Response actions are those used to save lives, protect property, and aid with the recovery process when the disaster strikes. Direction, control, warning, and evacuation are all types of actions in the response effort.

Response activities include the following:

- a) Activation of the Emergency Response Plan
- b) Staffing the Emergency Operations Center (EOC)
- c) Notifying Key Personnel
- d) Activation of the Emergency Warning System
- e) Providing Emergency Medical Assistance
- f) Securing the Scene
- g) Fire Fighting Operations
- h) Law Enforcement Operations
- i) Search and Rescue Operations
- j) Protective Action Announcements

4. Recovery

Recovery involves the short-term effort to return vital life-support systems to the minimum operating levels. Recovery also involves long-term efforts to return the community to the state it was in before the disaster.

Recovery activities include the following:

- a) Crisis Counseling
- b) Damage Assessment
- c) Debris Clearance
- d) Decontamination
- e) Sheltering of Victims

- f) Temporary Housing Efforts
 - g) Delivering Food and Supplies to victims
 - h) Distributing Public Information
 - i) Reconstruction
 - j) Reassessment of Emergency Plans
5. Mitigation, preparedness, response, and recovery fall within recognized time periods. Mitigation and preparedness activities take place in the pre-emergency time frame. Response activities occur in the trans-emergency time frame and recovery efforts occur in the post-emergency time frame.
 6. Mitigation, preparedness, response, and recovery are addressed in each functional annex of this plan to include the essence of planned arrangements for each time frame.
3. A Capability Assessment for Readiness review, of the overall Emergency Management System, will be done at a minimum of once every five years.
 1. While fire and police chiefs have responsibility over lives and property, and other elected and appointed officials have official and specific responsibilities as outlined in the Ohio Revised Code; it is the responsibility of the County of Summit Executive, the Mayors and Trustees to see that the needs of the citizens under their jurisdiction are being efficiently met in a coordinated manner.
 2. Should there be an occurrence that affects only one jurisdiction within the county; emergency operations will take place under that jurisdiction's direction and control with the county Emergency Management Agency supporting the operation through augmentation of manpower, equipment and materials. Summit County Emergency Management Agency will provide assistance to the local incident commander/elected official by identifying and locating these additional resources at the county, local, state and federal levels.
 3. Should there be an incident/event that affects two or more jurisdictions within the county, emergency operations will initially take place under each jurisdiction's direction and control. However, if the responses demand similar or competing resources, the involved entities will quickly collaborate to establish the most appropriate ICS structure (i.e. Incident Complex or Area Command). Consideration will also be given to establishing a shared emergency operations center, if the County EOC is not activated. All involved entities must coordinate their resource management, including ordering and demobilization procedures. Summit County Emergency Management Agency will provide coordination of resources as noted in #2 above.
 4. Should there be an incident/event which affects many or all jurisdictions, emergency operations will initially take place under each jurisdiction's

direction and control. However, if the responses demand similar or competing resources, the involved entities must quickly collaborate to establish the most appropriate ICS structure (i.e. Incident Complex or Area Command). Each affected local entity will establish a Department Operation Center (DOC) and the County Emergency Operations Center (CEOC) will be established and staffed as outlined in Annex A, Direction and Control, of this plan. Once the CEOC is operational, all requests for assistance/resources (local, county, state or federal) will be routed through the Department Operation Centers to the County Emergency Operations Center. All involved entities must coordinate their resource management, including ordering and demobilization procedures. Summit County Emergency Management Agency will support and coordinate operations at the County Emergency Operations Center in conjunction with the County Executive.

5. The Chief Elected Official of affected County jurisdictions may exercise all necessary local emergency authority for response by issuing an Emergency Proclamation.(Refer to Tab 3)
6. If all available local resources are committed (including mutual aid) and assistance is still required, state assistance may be obtained by following the guides listed in Tab 2 to the Basic Plan, Guides for Requesting Assistance.
7. Requests for Federal assistance are made by local government by coordinating requests through the Summit County Emergency Management Agency and appropriate state departments.

4. Impact of Changing Conditions

1. Activation of the Emergency Operations Plan

- a) During normal day-to-day operations, it is anticipated that local communities will operate under existing mutual aid as authorized in the Ohio Revised Code and/or special agreement or contracts for mutual aid or automatic response, as maintained by participating communities and agencies. Summit County Emergency Management Agency may be contacted if special resources or coordination are needed by the local incident commander or agency.
- b) During large-scale emergencies where significant outside assistance or special resources are needed; local authorities may utilize appropriate portions of this plan. Guides for local activation of plans shall be part of each community's emergency plan and shall be consistent with the county plan.
- c) During incidents that involve multiple communities, each community shall activate their local plan as necessary in a manner similar to "b"

above.

- d) When resources from communities outside of Summit County are necessary, requests shall be coordinated through the **Emergency Operations Center** (EOC) if activated, or Summit County Emergency Management Agency. This does not apply to normal mutual aid or automatic response.
- e) When resources from within Summit County are needed by surrounding counties, the requests should be coordinated with Summit County Emergency Management Agency. This does not apply to normal mutual aid or automatic response.

IV. Organization and Assignment of Responsibilities

1. General

County Agreements

- 1. The County of Summit has established an Emergency Management Agency Agreement. The various political subdivisions have entered into the Summit County Emergency Management Agency Agreement.

This Agreement is attached as Tab 5. The Executive of Summit County and the Chief Executive of all or a majority of the other political subdivisions within the county have entered into a written agreement establishing a county emergency management agency.

- 2. Under the County organization, there is an Emergency Management Executive Committee composed of the following individuals and/or their appointed alternates:
 - a) Two representatives of the Executive of the County of Summit.
 - b) Two representatives of the Mayor of the City of Akron.
 - c) A Township Trustee, as elected by representatives of the Summit County Townships' Association, who are a part of this agreement.
 - d) A Mayor of a City or Village, as elected by representatives of the Summit County Conference of Mayors, who are a part of this agreement.
 - e) A Fire Chief as elected by representatives of the Summit County Fire Chiefs' Association, whose political subdivisions are a part of this agreement.

- f) A Police Chief as elected by representatives of the Summit County Police Chiefs' Association, whose political subdivisions are a part of this agreement.
 - g) A representative of the County of Summit Engineer's Office.
 - h) A representative of the County of Summit Sheriff's Office.
 - i) A citizen-at-large representative as appointed by majority vote of the Executive Committee.
 - j) Summit County Emergency Management Senior Administrator shall serve as a member of the Committee without vote.
3. The primary responsibilities of the Summit County Emergency Management Executive Committee are:
- a) Annually prepare budget for use of funds generated under this agreement. Said budget is to be submitted to the Executive of the County for inclusion in the County budget.
 - b) Annually prepare a list of goals for the work plan of the Emergency Management Agency.
 - c) Annually approve the per-capita charges to each community within the scope of those charges allowed in this agreement.
 - d) Approve the County Emergency Operations Plan and its Annexes prior to the adoption of these documents by the County Executive.
 - e) Approve contracts, agreements and memorandums of understanding prior to adoption of these documents by the County Executive.
 - f) Appoint Technical, Management and other Advisory Committees as needed.
 - g) Annually evaluate the progress of the Emergency Management Staff in meeting the Agency goals and report this information to the County Executive.

2. Responsibilities

The following organizations are tasked with primary and support emergency assignments. A specific accounting of assignments is found in each annex of this plan and in the Standard Operating Guideline (SOGs) developed by each organization which

have emergency response and support responsibilities. The SOGs provide a detailed delineation of how assigned responsibilities are performed to support plan implementation.

1. Summit County Emergency Management Agency

a) Primary: Annexes A: Direction and Control, B: Communications, L: Damage Assessment, M: Radiological Protection, and N: Resource Management

- 1) Policy decisions for integrated emergency management
- 2) Plans for comprehensive emergency management and training
- 3) Coordination of all phases of integrated emergency management
- 4) Direction and control at the emergency operating center
- 5) Planning updates
- 6) Resource management
- 7) Augmentation of personnel
- 8) Coordination with officials in affected jurisdictions
- 9) Communications
- 10) Radiological Protection
- 11) Damage Assessment
- 12) Exercises and drills

b) Support:

- 1) Hazardous Material response
- 2) Warning
- 3) Public Information and Education

2. Law Enforcement (Summit County Sheriff's Department, Municipal, Village and Township Police)

a) Primary: Annexes C: Warning, E: Law Enforcement, and J: Evacuation, Anti-Terrorism Appendix C

- 1) Warning
- 2) Maintain law and order
- 3) Traffic control
- 4) Area control
- 5) Radiological protection
- 6) Direction and Control (on scene)
- 7) Evacuation
- 8) **Search**

b) Support:

- 1) **Rescue**

- 2) Hazardous material response
 - 3) Communications
3. Fire/EMS Service (Municipal, Village and Township Fire Departments)
- a) Primary: Annexes F: Fire & Rescue, J: Evacuation and M: Radiological, Hazardous Material Appendix A, MCI Appendix B, Anti-Terrorism Appendix C
 - 1) Fire response
 - 2) Fire code enforcement
 - 3) Hazardous material response
 - 4) Search and rescue
 - 5) Radiological protection
 - 6) Emergency medical
 - 7) Assistance for special needs groups
 - b) Support:
 - 1) Direction and control (on scene)
 - 2) Communications
 - 3) Warning
 - 4) Traffic control
 - 5) Damage Assessment
 - 6) Terrorism Response
4. Health and Medical Service
- a) Primary: Annexes H: Public Health, and I: Medical, Hazardous Materials, Appendix A, MCI, Appendix B, Anti-Terrorism, Appendix C
 - 1) Public health programs
 - 2) Food and drink inspections
 - 3) Sanitation inspection and enforcement
 - 4) Hazardous materials
 - 5) Mortuary services
 - 6) Support for special needs groups
 - b) Support:
 - 1) Direction and Control
 - 2) Shelter operations
 - 3) Vector (mosquito) control
 - 4) Damage assessment

5. Welfare Service (Summit County Department of Human Services, Red Cross of Summit & Portage Counties, Salvation Army, Summit County Children's Services)
 - a) Primary: Annex K: Shelter and Mass Care
 - 1) Services for elderly and/or handicapped
 - 2) Services for children
 - 3) Services in compliance with the American with Disabilities Act
 - b) Support:
 - 1) Mortuary Services
 - 2) Mental health services
 - 3) Mass feeding
 - 4) Emergency shelter operations

6. Engineering/Public Works (Summit County Engineer's Department, Municipal, Village and Township Street, Engineering and Sanitation Departments, Gas and Electric Companies, Water Departments, Telephone Companies and State/ Federal organizations that may assist in emergencies)
 - a) Primary: Annex G (Engineering, Utilities and Public Works)
 - 1) Water/sewer service
 - 2) Debris clearance
 - 3) Electric and gas services
 - 4) Street/road/bridge construction and maintenance
 - 5) Fuel storage
 - 6) Augmentation (personnel and equipment)
 - 7) Garbage removal
 - b) Support:
 - 1) Damage Assessment
 - 2) Shelter operations
 - 3) Radiological Protection
 - 4) Direction and control
 - 5) Restoration of Utilities
 - 6) Hazardous Material response
 - 7) Communications

7. Superintendent of Schools (Summit County Superintendent's Office, Municipal Offices of Superintendents)
 - a) Primary: Annexes D: Emergency Public Information, J: Evacuation and K: Shelter/Mass Care

- 1) Public education and information
- 2) Emergency transportation resources
- 3) Public shelters
- 4) Protection of school children

b) Support

- 1) Food service
- 2) Human service operations

8. Fiscal Support (County Executive, Department of Finance and Budget, Summit County Fiscal Office)

a) Primary: Annexes A: Direction and Control, L: Damage Assessment and N: Resource Management

- 1) Maintain complete records
- 2) Resource procurement
- 3) Support EOC operations

b) Support:

- 1) Damage Assessment

9. Legal Support (Summit Co. Prosecutor, Summit Co. Bar Assoc., County of Summit Executive Legal Counsel)

a) Primary:

- 1) Legal assistance in all comprehensive emergency management matters.
- 2) Enforcement of building codes

b) Support:

- 1) Assist with public information releases
- 2) Rumor control
- 3) EOC operations
- 4) Advice to public on contracts and legal matters

10. Agricultural Support (OSU Extension-Summit County, ASCA)

a) Support:

- 1) Agriculture Stabilization & Conservation Service Damage Assessment
- 2) Resource management
- 3) EOC operations

11. Planning Support (County of Summit Department of Development)

a) Primary:

- 1) Assist and coordinate comprehensive emergency management planning.
- 2) Develop and provide essential data bases
- 3) Develop and maintain liaison with business and industry concerning comprehensive emergency management matters

b) Support:

- 1) Plan for and provide services to the elderly and handicapped
- 2) Resource identification and management
- 3) Public information and education
- 4) Personnel Augmentation

12. Shelter (Red Cross: Summit County Chapter)

a) Primary: Annex K: Shelter and Mass Care

- 1) Shelter operations
- 2) Reception and care
- 3) First aid at shelters and at scene as requested by emergency medical services

b) Support:

- 1) Welfare services (e.g. temporary housing, food, clothing, household goods)
- 2) Damage assessment (for individual needs)
- 3) Mortuary services

13. Ohio Emergency Management Agency

a) Support for local-level emergency operations by Summit County Emergency Management's request

- 1) Damage Assessment
- 2) Welfare services
- 3) Law enforcement
- 4) Health and medical services

- 5) Resources (equipment, personnel, etc.)
- 6) Financial assistance (matching comprehensive emergency management funds)
- 7) Presidential disaster declaration assistance
 - i. Debris removal
 - ii. Emergency protective measures
 - iii. Road and bridge repair
 - iv. Water control measures
 - v. Restoration of public buildings and related equipment
 - vi. Restoration of public utilities
 - vii. Restoration of facilities under construction to pre-disaster condition
 - viii. Restoration of certain private, non-profit facilities and equipment
 - ix. Certain other public service facilities and services
 - x. Perimeter control
- 8) Training
- 9) Support of local EOC operations

14. Private Utilities

a) Primary:

- 1) Restoration of essential services
- 2) Restoration of secondary priority services
- 3) Damage Assessment

V. DIRECTION AND CONTROL

1. General

The mayors of cities and villages and the township trustees are responsible for policy making and coordination of emergency response within their jurisdictions.

The County of Summit Executive is responsible for the policymaking and coordination of County of Summit emergency response and activities.

Command and control of a threat or incident is a critical function that demands a unified framework for the preparation and execution of plans. Emergency response organizations at all levels of government may manage command and control activities somewhat differently depending on the organization's history, the complexity of the crisis, and their capabilities and resources. Management of response actions must, therefore, reflect an inherent flexibility in order to effectively address the entire spectrum of capabilities and resources across the county. The resulting challenge is to integrate the different types of management systems and approaches utilized by all

levels of government into a comprehensive and unified response to meet the unique needs and requirements of each incident. Summit County has adopted and will operate under the Emergency Management system and National Incident Management System (NIMS), unified command, for operational issues.

The Summit County Emergency Management Executive Committee is responsible for plan development and policy making for coordination of countywide response.

2. The mayors of cities and villages and township trustees will coordinate emergency operations from a designated Department Operations Center (DOC) within their own jurisdictions, and will select an alternate site.

The County of Summit Executive will act as leader of the countywide Emergency Operations Center for the County of Summit and countywide activities.

3. County Emergency Operations Center Standard Operating Guidelines (SOG) describe the County EOC facilities, staffing pattern, guides and support requirements necessary to carry out this function.
4. The Summit County Emergency Management System is in compliance with the National Incident Management System.

VI. Continuity of Government

1. Each department of Summit County Government, and each city, village, and township and their departments are responsible for: (1) pre-designating line of succession; (2) pre-delegating authorities for the successors to key personnel; (3) making provisions for the preservation of records; (4) developing guides for the relocation of essential departments; and (5) developing guides to deploy essential personnel, equipment, and supplies.
2. Refer to Appendix A (of the Basic Plan), Guides for the Relocation & Safeguarding of Vital Records and Tab 3, Guides for the Protection of Government Resources, Facilities, & Personnel in Annex N, Resource Management.
3. This information is addressed in each annex of the EOP under Continuity of Government.

VII. Administration and Logistics

1. Administration
 1. Administration of emergency management activities in Summit County is conducted on a daily, non-emergency basis (mitigation and preparedness phases) by the Summit County Emergency Management Agency.

2. During the response and recovery phases of an emergency, the emergency management program is coordinated by the Summit County Emergency Management Agency with responders and chief elected officials at the scene and in the activated EOC, when applicable, in accordance with the written guidelines set forth in this plan and in organizational SOGs.

2. Logistics

1. Requests for material support will be coordinated with the chief elected officials, or their designee, of the affected jurisdiction and presented to the Summit County Emergency Management Agency.
2. The Summit County Emergency Management Agency may present the request to the Executive Committee and the Executive Committee will approve or deny the expenditure. **When immediate actions are not needed the Summit County Emergency Management Agency may present the request to the Emergency Management Executive Committee (EMEC), and the EMEC may approve or deny the expenditure.**
3. If the expenditure is denied, it is up to the legislative authorities in the affected jurisdiction to approve or deny the expenditure.

VIII. Plan Development and Maintenance

1. Summit County Emergency Management Agency is responsible for ensuring that necessary changes to the EOP are prepared, coordinated, published and distributed. The Agency will forward revisions of the EOP to all affected/responsible organizations for acceptance before the final version is printed.
2. Each organization tasked with emergency responsibilities in this EOP is responsible for updating its portion of the plan based upon deficiencies identified by emergencies, drills, exercises and changes in government structure and emergency organizations.

All changes will be submitted to the Summit County Emergency Management Agency.

3. Any revisions, corrections, additions, or deletions to the EOP will be presented to the Summit County Emergency Management **Executive Committee** for final approval.
4. The intended audiences for each annex of this EOP are the responsible organizations assigned to address the emergency functions. The Summit County Emergency Management Agency will initiate an annual review of the annexes with the appropriate organizations.
5. This Emergency Operation Plan will be updated to meet state and federal guidelines every four years from the date of the last acceptance by the Federal Emergency Management Agency.

6. Plan Validation

1. Plan validation can be achieved through the use of five different types of exercises: Orientation, Drills, Tabletop, Functional, and Full-Scale.

7. Drills and exercises

1. Orientation and Drills

Orientation seminars and functional drills will be held on an as needed basis for training of individuals who have responsibilities within this plan.

a) Orientation

Orientations are used to acquaint personnel with policies and procedures developed in the planning process, providing a general overview of the Emergency Operations Plan and its provisions. An orientation is especially effective in the ensuring that emergency personnel understand their roles and it helps to clarify any complex or sensitive plan elements.

While the orientation does not normally involve any direct simulation or role playing, it is used to review plan procedures and informally apply them to potential emergency situations or past events familiar to everyone.

b) Drill

A drill is a supervised instruction period aimed at developing, testing, and monitoring technical skills necessary to perform emergency response operations. A drill may be a component of an exercise.

2. Tabletop Exercise

- a) Tabletop exercises will be held as often as necessary to prepare for functional and full-scale exercises.

- b) A tabletop is primarily a learning exercise that takes place in a conference room setting. Prepared situations and problems are combined with role playing to generate discussion of the plan, its procedures, policies, and resources.

Tabletop exercises are an excellent method of familiarizing groups and organizations with their roles, and in demonstrating proper coordination. It is also a good environment to reinforce the logic and content of the plan and to integrate new policies into the decision making process. It allows participants to act out critical steps, recognizing difficulties and resolve problems in a non-threatening format.

3. Functional exercise

- a) Functional exercises may be conducted to prepare for the Full-Scale exercise.
- b) The functional exercise is an emergency simulation designed to provide training and evaluation of integrated emergency operations and management. More complex than the tabletop exercise, it focuses on interaction of decision making and agency coordination in a typical emergency management environment such as an EOC or command post.

All field operations are simulated through messages and information is normally exchanged using actual communications, including radios and telephones. It permits decision makers, command officers, coordination and operations personnel to practice emergency response management in a realistic forum with time constraints and stress. It generally includes several organizations and agencies practicing interaction of a series of emergency functions; such as direction and control, assessment, and evacuation.

4. Full Scale Exercise

- a) The county will have at least one full-scale exercise, as required by the Ohio Emergency Management Agency, incorporating activation of the Emergency Operations Center and field operations of several functions.
- b) The full scale exercise evaluates several components of emergency response and management systems simultaneously. It exercises the interaction elements of a community emergency program, similar to the functional exercise, but it is different in that it adds a field component.

A detailed scenario and simulation are used to approximate an emergency, which requires on-scene direction and operations, and also includes coordination and policy making roles at an emergency operations or department operations center. Direction and control, mobilization of resources, communications, and other special functions are commonly exercised.

5. An after-action report will be completed within 90 days of an exercise or event to address the effectiveness/weakness of the plan. Recommendations will be distributed to the appropriate agency for corrective actions. This process is the responsibility of the Emergency Management Agency and will be reported to the Emergency Management Executive Committee until all corrective actions have been implemented.

IX. Authorities and References

The following are codes, regulations, and authorities that provide the basis for this Emergency Operations Plan. These codes and regulations give the agencies involved the authority to prepare and adopt this plan into their individual agency's standard operating guidelines.

1. Authorities

1. Federal

- a) Civil Defense Act 1950 (PL 81-9230) as amended
- b) The Disaster Relief Act of 1974 (PL 93-288)
- c) Emergency Planning and Community Right-to-Know Act of 1986 (Title III of SARA)
- d) Robert T. Stafford Disaster Relief and Emergency Assistance
- e) Amendments of 1988 (PL 93-288 as amended by PL 100-707)

2. State

- a) State of Ohio Constitution, Article II, Section 42- Power of the Governor to act for the citizens in the event of attack or other disaster.
- b) Ohio Natural Disaster Plan, dated December 1, 1983
- c) Ohio Revised Code:

107: Governor

161: Emergency interim government

305.09: Proceedings of board of county commissioners

305.12: Liability of commissioners

307: Powers of board of county commissioners

311.07: Powers and duties of county sheriff

313.06: Powers and duties of county coroner

315.08: Powers and duties of county engineer

329.01: County dept. of job & family services-director, assistants, bonds

733.03: General powers of mayor in cities-merger of certain departments

733.23: Executive power in villages

737.11: General duties of police and fire departments

3701: Department of health

3709.06, 22: Powers and duties of county health departments

3750: Emergency Planning, Community Right-to-Know

4905.81: Highway routing of hazardous materials rules

5101.01, 02: Powers and duties of human services

5502: Department of public safety

3. Local

- a) Summit County Charter
- b) Summit County Resolution #90-730
- c) Summit County Emergency Management Agreement (Refer to Tab 5)

2. References:

1. Federal

- a) Job Aid Manual, SM-61.1/August, 1983, Federal Emergency Management Agency
- b) SLG 101 Guide for All Hazard Emergency Planning, September 1996.
- c) CCA General Program Guidelines, CPG1-3, dated Aug 1992 (w/5 changes, 1/88, 5/88, 9/88, 9/89 and 12/89), Federal Emergency Management Agency.
- d) Fundamentals Course for Radiological Monitors, SM-20, dated July 1990, (Formerly SM81), Federal Emergency Management Agency.
- e) Shelter and Care Operations, CPG 2-8, April 1987, Federal Emergency Management Agency.
- f) Federal Disaster Assistance Handbook, August 1981, Federal Emergency Management Agency (additional updates available online).
- g) Disaster Operation--A Handbook for Local Government, CPG-1-6, Washington; 1981, Federal Emergency Management Agency.
- h) Objectives for Local Emergency Management, CPG-1-5, July 1984, Federal Emergency Management Agency.

2. State

- a) State of Ohio Emergency Alert System Plan dated September 2003.
- b) Damage Assessment Guide for Local Officials, Ohio Emergency Management Agency, April 1987.
- c) Sample Radiological Protection Annex, Ohio Emergency Management, September, 1990
- d) Ohio Statewide Allocation Plan NAPB (Evacuation & Shelter) dated March 1990, Ohio Emergency Management Agency.

3. Local

- a) Severe Weather Safety Awareness Campaign

- b) Winter Safety Campaign Information Packet

4. Nuclear Attack

- a) Ohio Statewide Allocation Plan - NAPB (Evacuation and Shelter) dated March, 1990., Ohio
- b) Final Project Report, Nuclear Attack Planning Base 1990-(NAPB), April 1987, Federal Emergency Management Agency
- c) Guide for Increasing Local Government Civil Defense Readiness During Periods of International Crisis, SLG 100 dated May 1990, Federal Emergency Management Agency.
- d) Transportation Planning Guidelines for Evacuation of Large Populations, CPG 2-15/September, 1984. Federal Emergency Management Agency.
- e) Home Fallout Protection, 1986 Ministry of Supply and Services, Canada.
- f) Sheltering & Care Operations, CPG 2-8/ April 1987, Federal Emergency Management Agency
- g) Attack Environment Manuals, Chapters 1-9, June 1987, Federal Emergency Management Agency 125-133.
- h) Life Support Operations in Shelters, CPG 2-20, January 1988, Federal Emergency Management Agency.
- i) EMP Protection for AM Radio Broadcast Stations, TR-61C, July 1976, Federal Emergency Management Agency.
- j) EMP protection for Emergency Operating Centers, TR-61A, July 1972, Federal Emergency Management Agency.
- k) Radiological Defense Preparedness, CPG 2-1 September 1989, Federal Emergency Management Agency.
- l) Radiological Defense Manual, CPG 2-6.2, June 1977, Federal Emergency Management Agency.
- m) Radiological Safety in Shelters, CPG 2-6.4, Federal Emergency Management Agency, 1983

X. Addendums

Tab 1 – Summit County Table of Organization

Tab 2 - Guides for Requesting Assistance

Tab 3 - Sample of Summit County Emergency Proclamation

Tab 4 - Map of Political Boundaries

Tab 5 - Summit County Emergency Management Agreement

Appendix A-Guides for Relocation and Safeguarding

Attachment 1-Vital Records Checklist

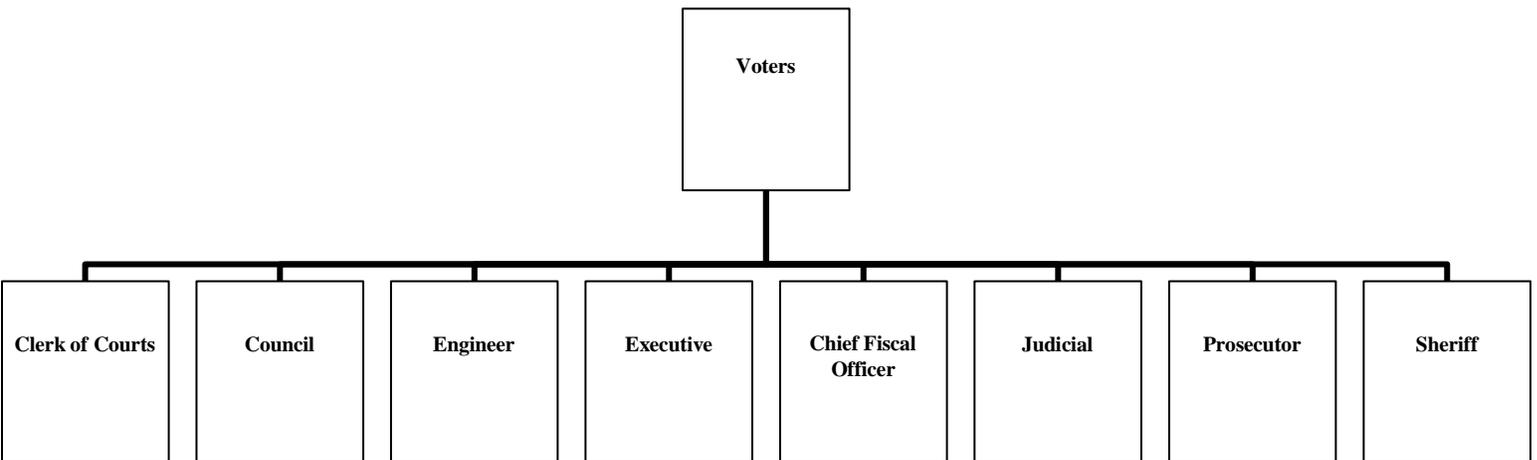
Attachment 2-Reprint of Chapter 128, Public Records and Records Commissions
Ohio County Commissioners Handbook, Revised 2011.

XI. Authentication

The Summit County Emergency Management Executive Committee and the Summit County Emergency Management Senior Administrator approve this Basic Plan of the Summit County Emergency Operations Plan.

Tab 1 to Basic Plan

Summit County Table of Organization



TAB 2 TO THE BASIC PLAN

Guides for Requesting State Disaster Assistance

WHEN AN EMERGENCY OCCURS IN SUMMIT COUNTY, A MUNICIPALITY, OR TOWNSHIP THAT REQUIRES ADDITIONAL RESOURCES FROM WITHIN OR OUTSIDE OF THE COUNTY.....

TELEPHONE SUMMIT COUNTY
EMERGENCY MANAGEMENT

175 SOUTH MAIN STREET
AKRON 44308

DAY (330) 643-2558 NIGHT (330) 643-2181

AND, PROVIDE THE FOLLOWING INFORMATION:

- AREA AFFECTED -NATURE OF ASSISTANCE
- TYPE OF EMERGENCY -PERSON AUTHORIZING REQUEST

IF STATE ASSISTANCE IS REQUIRED, COORDINATE YOUR REQUEST THROUGH SUMMIT COUNTY EMERGENCY MANAGEMENT AGENCY, THEN PREPARE ADDITIONAL INFORMATION:

- SPECIFIC TYPE OF ASSISTANCE NEEDED
- ESTIMATE OF NUMBER OF PERSONS AFFECTED
- ESTIMATE OF DAMAGE TO PUBLIC AND PRIVATE PROPERTY
ACTIONS TAKEN BY LOCAL GOVERNMENT

TAB 3 TO THE BASIC PLAN

SUMMIT COUNTY
LOCAL EMERGENCY PROCLAMATION

AUTHORITY - **DRAFT**

Whereas, Summit County, Ohio has been or is immediately threatened by a natural/man-made/technological hazard and/or nuclear or conventional attack, and;

(Give date, time, situation assessment and duration of hazard) and;

Now, therefore, the Summit County Chief Executive declares that a state of emergency exists in the county and that hereby invoke and declare those portions of the Ohio Revised Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the county for the exercise of all necessary emergency authority for protection of the lives and property of the people of Summit County and the restoration of local government with a minimum of interruption.

Reference is hereby made to all appropriate laws, statutes, ordinances and resolutions; and particularly to Chapter 5502 of the Ohio Revised Code.

All public offices and employees of Summit County are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations, and directives—state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operation plans, and to obey and comply with the lawful directions of properly identified officers.

All operating forces will direct their communications and requests for assistance and operations directly to the Emergency Operations Center.

In witness, whereof, we have hereunto set our hand this ____ day of _____,
20 .



EMERGENCY MANAGEMENT AGENCY AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 2009, by and between _____, a municipal corporation or township organized and existing under the laws of the State of Ohio (hereinafter "political subdivision"), duly authorized by Resolution passed by its council/board of trustees on _____, 2009, and the County of Summit, a political subdivision organized and existing under the laws of the State of Ohio (hereinafter the "County"), duly authorized by Resolution adopted by County Council on October 18, 1990.

WITNESS:

WHEREAS, the County of Summit and the various Municipal Corporations and Townships (hereinafter "political subdivisions") realize that there is an existing and increasing possibility of a natural, manmade, or technological emergency, disaster, civil disturbance, or other hazard (hereinafter "hazard") taking place within their jurisdiction that exceeds their local capabilities; and,

WHEREAS, the County and each Political Subdivision may need to call on the County, other political subdivisions within the County; and/or political subdivisions, State, and Federal resources outside of Summit County to mitigate, prepare, respond, or recover from said Hazard; and,

WHEREAS, such coordinated mutual assistance is authorized under the Ohio Revised Code Chapter 5915 so long as agreements exist; and,

WHEREAS, the coordination of Emergency Management activities within the area of Summit County is of paramount importance to all of the political subdivisions therein; and,

WHEREAS, the County of Summit desires to effect such necessary coordination by entering into agreements, in the manner provided by law, and by the Ohio Revised Code Section 307.15, with the various political subdivisions; and

WHEREAS, in accordance with Section 5915.071, as amended, a requirement is established for each political subdivision, to develop its own Emergency Management Agency if not a member of a county-wide or Regional Agreement; and

WHEREAS, it is further declared to be the purpose of this Agreement and the policy of the County of Summit that all Emergency Management functions of the County be coordinated to the maximum extent with comparable functions of the State of Ohio and of the Federal

Government, including their various departments and agencies, and other states and localities, and of private agencies of every type, to the end that the most effective preparation and use can be made of the County's manpower, resources and facilities for dealing with any large-scale disaster or emergency that may occur; and

WHEREAS, it is hereby found and declared to be necessary to enter into an Agreement with the County so that the required program for emergency management is provided to the political subdivision by the County; and to provide for the rendering of cooperation and mutual aid, if necessary, to other political subdivisions of the State and adjoining states;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the County and the political subdivisions do hereby promise and agree that:

1. The County shall, on behalf of the participating political subdivisions, establish an agency (hereinafter "Emergency Management Agency") and program for emergency management that:

- A. is in accordance with Chapter 5915 of the Ohio Revised Code, rules adopted under it, the "Act of January 12, 1951", 64 Stat. 1245, 50 App. U.S.C.A. 2251, and regulations adopted under it;
- B. includes, without limitation, development of an emergency operations plan.

2. The County shall coordinate the Emergency Management activities among parties hereto and to exercise for and on behalf of each party hereto such power and authority incident thereto as it may lawfully do, consistent with State statutes and such regulations as have been or shall be promulgated by the Governor of the State.

3. The County Executive shall employ a full-time Emergency Management Coordinator and staff whose duties under this agreement will include Emergency Management as provided in chapter 5915 of the Ohio Revised Code; Haz-Mat team administration as established by County Resolution; SARA Title III activities as established by Chapter 3750 Of The Ohio Revised Code and Title III of the Superfund Amendments and Reauthorization Act of 1986; coordination of the Enhanced 9-1-1 system as Established by Summit County Resolution, and other duties under this agreement as assigned by the County and approved by the Executive Committee.

4. Administrative services for the Hazardous Materials Response Team and the Summit County 9-1-1 system shall be extended to all political subdivisions without regard to participation in this agreement.

EXECUTIVE COMMITTEE

There shall be created an Emergency Management Executive committee consisting of the following members:

- a. Two representatives of the Executive of the County of Summit.
- b. Two representatives of the Mayor of the City of Akron.
- c. A township trustee as elected by representatives of the Summit County Township's Association who are a part of this agreement.
- d. A Mayor of a City or Village as elected by representatives of the Summit County Conference of Mayors who are a part of this agreement.

- e. A Fire Chief as elected by representatives of the Summit County Fire Chief's Association whose political subdivisions are a part of this agreement.
- f. A Police Chief as elected by representatives of the Summit County Police Chief 's Association whose political subdivisions are a part of this agreement.
- g. A representative of the County of Summit Engineer.
- h. A representative of the County of Summit Sheriff.
- i. A citizen-at-large representative as appointed by a majority vote of the Executive Committee.
- j. The Summit County Emergency Management Coordinator shall serve as a member of the Committee without vote.

The Executive Committee may adopt the necessary bylaws for its use. A procedure for choosing alternates and terms of office for each of the above positions may be provided in said by-laws.

The Executive Committee may appoint Technical, Management and other Advisory Committees.

The purpose of the Executive Committee is to:

- a. Annually prepare a budget for use of funds generated under this agreement. Said budget is to be submitted to the Executive of the County for inclusion in the County budget.
- b. Annually prepare a list of Goals for the work plan of the Emergency Management Agency.
- c. Annually approve the per-capita charges to each community within the scope of those charges allowed in this agreement.
- d. Approve the County Emergency Operations Plan and its Annexes prior to the adoption of these documents by the County Executive.
- e. Approve contracts, agreements, and memorandums of understanding prior to adoption of these documents by the County Executive.
- f. Appoint Technical, Management and other Advisory Committees as needed.
- g. Annually evaluate the progress of the Coordinator and Staff in meeting the Agency Goals and report this information to the County Executive.

EMERGENCY MANAGEMENT PROGRAM

A. County Emergency Management Program

Each local political subdivision that is a part of this agreement hereby contracts with the Summit County Emergency Management Agency to develop and maintain an Emergency Management Program that meets the Requirements of the Ohio Revised Code Chapter 5915 and Rules adopted by the Governor under the chapter for such programs. The scope of this program shall include but not be limited to:

- a. Organization and Operation of the Emergency Management Agency.
- b. The development and maintenance of an Emergency Operations Plan. Said plan shall be published and provided to each local political subdivision that is a part of this agreement. No plan or agreement shall diminish the capability of County or Local Government to provide adequate services within their local jurisdiction. Nor shall any plan or agreement require any Local Political Subdivision, County Office, or Agency to respond outside of their jurisdiction unless they are willing and able to do so.
- c. Organization installation and operation of an Emergency Operations Center for coordination of assistance to local communities during emergencies.
- d. Administrative services for the Summit County 9-1-1 Program.
- e. Administrative services for the Summit County Hazardous Materials Response Team.
- f. Certain activities of the Summit County Local Emergency Planning Committee (LEPC)

as may be mutually agreed to between the LEPC, the County Executive and the Executive Committee of the Emergency Management Agency.

- g. Other such activities as are required by law or are mutually agreed to by the County and the Executive Committee.
- h. The Agency may, with concurrence of the County Executive and the Executive Committee, receive grants and other monies, and/or execute programs that are consistent with the mission of the Agency.

Each political subdivision which is a part of this Emergency Management agreement, agrees to develop maintain and coordinate internal plans and procedures consistent with the Emergency Operations Plan. All such plans and agreements shall be designed to provide the most efficient and practical response to communities requesting assistance.

The County Executive, upon recommendation of the Executive Committee, may enter into written contracts, agreements, and memorandums of understanding with public and private agencies. Said agreements shall be applicable to the County and all political subdivisions that are a part of this agreement unless superseded by a local agreement. No such contract, agreement, or memorandum of understanding shall commit the county or any political subdivision to expend political subdivision monies unless specifically authorized by that political subdivision. Said documents shall be provided to each participating subdivision as a part of the Emergency Operations Plan.

Each political subdivision that is affected by any hazard as defined in Chapter 5915 of the Ohio Revised Code, has sustained damage and needs assistance beyond its normal mutual aid capability, has the responsibility to immediately notify the County Emergency Management Coordinator or other person or persons designated in the County Emergency Operations Plan. Said notification must also be made if required for SARA or EPA compliance. Said notification will allow a complete assessment of the situation in order to facilitate a coordination of local, County, State, and Federal resources. All such requests for assistance shall be in accordance with the County Emergency operations Plan.

EMERGENCY MANAGEMENT COORDINATOR ("COORDINATOR")

The Coordinator of the Emergency Management Agency shall be responsible for coordinating, organizing, administering and operating emergency management in accordance with the Agency's established program and emergency operations plan, subject to the direction and control of the County Executive.

The Coordinator of Emergency Management shall pursue a professional development training program in accordance Section 5915.071 and with rules adopted under Section 5915.05 of the Ohio Revised Code.

The Coordinator shall solicit input from key agencies, governments, and associations in the development of said plans and agreements.

The Coordinator and his personnel shall be classified employees of the County Executive. Compensation shall be set in accordance with the Summit County Uniform Classification System.

MUTUAL ASSISTANCE

Pursuant to the authority provided in Section 5915.09 of the Ohio Revised Code and rules adopted under Section 5915.05, each participating political subdivision, County Office and Agency may assist any other Local Political Subdivision, County office or Agency during an actual or impending hazard so long as the provision of said assistance does not diminish the County or Local Government's ability to maintain essential services within their own jurisdiction. Said assistance may be in the form of equipment, personnel, supplies and services.

With the exception of expendable supplies, all response under this agreement shall be considered to be without charge to the community receiving the assistance unless there is a specific agreement between the participating communities for such service. Any community receiving expendable supplies under this agreement shall replace the supplies used, or reimburse the community providing said supplies for their actual replacement cost.

The person in charge of equipment and personnel of any community or agency shall remain in charge of his equipment and personnel while functioning outside of his normal jurisdiction. Liability for the use of equipment and personnel shall remain with the community providing such equipment and personnel.

The personnel who are employed by any Local or County Government or Agency and discharging duties pursuant to this agreement and consistent with County Agency plans and Local, State and Federal laws are subject the same powers, duties and immunities as they would in their own community as outlined in Section 5915.15 of the Ohio Revised Code.

It may be desirable to extend the services of the County and/or political subdivisions within the County to communities outside of Summit County during such hazards. It may also be necessary to request the services of other Local, County, State and Federal Governments to assist Summit County and its political subdivisions during such hazards. In these cases all such provisions of this agreement shall apply so long as requests for this assistance are coordinated through the Emergency Management Agency in accordance with the Emergency Operations Plan. This provision shall not supersede routine mutual aid, automatic response, or contracts for service made among Counties and/or political subdivisions.

BUDGET

The Executive Committee, shall prepare a budget each year for the Emergency Management Agency. The revenues provided for in said budget, from whatever source, shall be paid into the County Treasury of Summit County. Said revenues shall be placed into a special fund established by the County Auditor and designated for Emergency Management Agency purposes. Carryover monies shall remain with the Emergency Management Agency fund and be available for re-appropriation by the Emergency Management Agency for its use.

ASSESSMENT

Each participating political subdivision hereto agrees to pay to the County by the time specified in this agreement, the amount assessed against it, the maximum assessment for 1991 not to exceed .45 cents per capita for each citizen within a specific jurisdiction, and to perform the obligations herein assumed. Funds assessed against each participating political subdivision shall be collectible annually effective January 1, 1991.

The County of Summit agrees to pay into the Emergency Management Agency Fund the amount assessed against it, the maximum assessment for 1991 not to exceed .225 cents per capita for each citizen within the County to perform the functions herein. Additionally the County of Summit Shall supply office space, utilities, janitorial services, telephone, and copying services to the Emergency Management Agency at no charge.

For 1991 the per capita rate shall be calculated based on the 1980 census. In subsequent years the figures from the most current certified decennial census shall be used.

The per capita rate may be adjusted, by majority vote of the Executive Committee within the following limits:

- a. The rate for the following year shall be set by the Executive Committee at a regular meeting no later than June 1st.
- b. The ratio of 2:1 per capita funding between Local Communities and the County of Summit shall apply.
- c. When it is deemed necessary to adjust the per capita charge, a request to change said charge shall be presented by the Emergency Management Coordinator to the Executive Committee by May 1 preceding the renewal date.
- d. Monies generated under the above agreement shall be calculated by the Summit County Fiscal Auditor, deducted from the County's and the political subdivision's 'first half' real property tax settlement, and placed in the Emergency Management Agency Fund.
- e. There shall be no mid-year rate increases.

AMENDMENT

This agreement may be amended and upon recommendation of a majority vote of the Executive Committee and must be ratified by the County and Participating Political Subdivisions, pursuant to the requirements of Chapter 5915 of the Ohio Revised Code and its subsequent amendments. For it to be effective for any community, any amendment must be ratified by the County and a majority of the participating political subdivisions.

INDEMNIFICATION

Nothing in this agreement shall prohibit any community or agency from recovering damages from any private party or concern that may be responsible for the emergency, disaster, civil disturbance, or hazard within its jurisdiction.

RENEWAL

This agreement shall take force on January 1, 1991 and shall be renewed automatically on January 1 of each year for successive one year terms, unless either party gives written notice of non-renewal to the other at least 150 days prior to the end of the term.

TRANSITION

The Summit County Emergency operations Plan dated 1988 and the Summit County Mass Casualty Plan dated 1986 shall stand as adopted until revised or replaced under this agreement.

Upon adoption of this agreement all equipment, supplies, personnel and other assets of the Summit County Office of Emergency Management shall be transferred to the Summit County Emergency Management Agency.

LIABILITY

Liability for the use of equipment and personnel under this Agreement remains with each participating political subdivision requesting or involved in such use of equipment and personnel. All parties under this Agreement are subject to the immunities as provided in Chapter 5915 et seq of the Ohio Revised Code.

IN WITNESS WHEREOF, the County and the political subdivision have caused this Agreement to be executed by the respective proper officers and officials of the County and political subdivision thereunto duly authorized as of the day and year first above written.

COUNTY OF SUMMIT

(POLITICAL SUBDIVISION)

Russell M. Pry
County Executive

Name:
Title:

APPROVED AS TO FORM:

Deborah Matz
Law Director

**Summit County
Emergency Management Agency
175 South Main Street
Akron, Ohio 44308
Tel: 330-643-2558
Fax: 330-643-2889**

Appendix A to the Basic Plan of the Summit County Plan

GUIDES FOR THE RELOCATION & SAFEGUARDING OF VITAL RECORDS FOR SUMMIT COUNTY

I. Purpose

The purpose of this procedure is to ensure the preservation of essential government records and to ensure government's ability to function effectively under emergency conditions and to protect the rights and interests of citizens after the emergency is over.

II. Situation and Assumption

A. Situation

Local institutions of government, each department of county government, and each city, village and township and their departments, must survive and remain capable of carrying out their essential functions under all types of emergencies. These situations may include catastrophic peacetime disasters, subversions, or nuclear warfare. Continuity of government measures are designed to ensure that this capability is developed and maintained.

B. Assumption

1. An alternate location for safeguarding vital records has been designated and is presently not at risk.
2. Essential records have been prioritized by each government office.
3. Each government office will provide support personnel, equipment, and resources necessary for the transport and protection of vital records.

III. Concept of Operations

A. General

Responsibility for preservation of essential records ultimately lies with local government offices. Each government office must select, preserve, and provide availability of those records, which would be essential to the effective functioning of government and to the protection of rights and interests of persons under emergency conditions.

B. Phases of Emergency Management

1. Mitigation

Mitigation activities may include, but are not limited to:

- a. Designate alternate location sites depending upon the various hazards facing the jurisdiction.
- b. Evaluate alternate sites according to the type and severity of the hazard.
- c. Assess the vulnerability of direct or secondary damage.
- d. Prioritize essential records in advance.
- e. Provide protection to Automated Data Systems from damage experienced by electromagnetic pulse.
- f. Develop mutual agreements for the storage of vital records with surrounding jurisdictions.

2. Preparedness

Each government institution must develop guides illustrating how it will relocate records to safe areas.

3. Response

Response activities may include, but are not limited to:

- a. Label and prioritize record containers.
- b. Retain necessary documents for prudent decision-making.

- c. Secure other essential and vital records, including computer information, for safekeeping.
- d. Relocate records to appropriate location.

4. Recovery

Recovery activities may include, but are not limited to:

- a. Provide necessary assessment and recovery information as requested.
- b. Return vital records to normal operating location.
- c. Return personnel, equipment and resources to normal locations.

IV. Organization and Assignment of responsibilities

A. Organization

The function of preserving essential records will be conducted by regular public employees or officials who will assume responsibilities whenever a disaster of major proportion strikes the community. Mobilization will occur upon notification provided by the Chief Executive Officer of each government office/department/agency.

B. Responsibilities of each government office is as follows:

- 1. Identify, in advance, priority categories of essential records. These categories should include those records deemed essential for continuing critical government functions during an emergency and those records that are required to protect the rights and interests of citizens.
- 2. Label all records within the priority categories with identifiable markings. Priority of evacuation should be noted on record containers.
- 3. Assess the vulnerability of stored records to direct and secondary damage from various disaster threats; i.e. fire, water, chemical damages, aftershock, vandalism, etc.

4. Evaluate alternate records storage locations in light of hazard analysis.
5. Make arrangements for transportation to relocate records to alternate location if the need arises.
6. Identify and retain copies of the records that will be needed during the emergency operations by management or the emergency response team.
7. Safeguard vital computer information and records.

V. Direction and Control

The Chief Executive Officer of each government office in coordination with assigned personnel will assume direction and control of preservation of record activities.

VI. Continuity of Government

Each department of county government, and each city, village, and township and their departments are responsible for making provisions for the preservation of records. The lines of succession are as described in Standard Operating Guides maintained in each government office.

VII. Administration and Logistics

Agreements for the use of alternate location sites are in place.

Prior arrangements for transport of records have been implemented.

Guides written by each department include specific methods for assigning personnel during an emergency, and details assigned responsibilities, which support this activity.

VIII. Plan Development and Maintenance

Refer to section VIII of the Basic Plan.

IX. Authorities and References

Refer to section IX of the Basic Plan.

X. Addendums

Attachment 1 – Vital Records Checklist

Attachment 2 – Reprint of Chapter 128, Public Records and Records Commissions, Ohio County Commissioners Handbook, Revised 2000

Attachment 1 to Appendix A to Basic Plan of the Summit County Plan

VITAL RECORDS*

GOVERNMENT – EXECUTIVE, LEGISLATIVE AND JUDICIAL:

1. Constitutions
2. Charters
3. Statutes & Ordinances
4. Court Records
5. Official Proceedings
6. Other Legal Records
7. Financial Records
8. Other Records, as deemed necessary

DEPARTMENT/AGENCIES/OFFICES:

1. Utility System Maps
2. Locations of Emergency Supplies & Equipment
3. Emergency Operations Plans & Guides
4. Lists of Succession
5. Lists of Regular & Auxiliary Personnel
6. Other Records, as deemed necessary

CITIZENS/INDIVIDUALS:

1. Vital Statistics Records
2. Land and Tax Records
3. License Registers
4. Papers of Incorporation
5. Other Records, as deemed necessary

*Some of these records will be required during emergency operations by management or the emergency response team while others can be stored by duplicating, dispersing, and securing in safe storage facilities.

Attachment 2 to Appendix A to Basic Plan of the Summit County Plan

OHIO	COUNTY	COMMISSIONERS
HANDBOOK		
<i>Published by the County Commissioners Association of Ohio 37 West Broad Street, Suite 650, Columbus, Ohio 43215-4195 Phone 614/221-5627 Fax 614/221-6986 E-mail pub@ccao.org</i>		

CHAPTER 128

REVISED 2011

PUBLIC RECORDS AND RECORDS COMMISSIONS

128.1 INTRODUCTION

One of the primary responsibilities of county elected officials is to maintain records. The number of records maintained by county government constantly increases. The proper retention, storage, transfer and disposal of records can make the job of county officials easier. In addition, transfer or disposal of outdated records can result in considerable savings of space and equipment.

Public records may be kept by any means of photostatic, photographic, film, or microfilm process or perforated tape, other magnetic means, electronic data processing, machine readable means, graphic or video display or any combination of the above which the official authorized to maintain the records deems necessary or advisable.

However, when these methods are utilized, any machines and equipment necessary to reproduce the records in a readable form must be made readily available (ORC 9.01). When any of these recording methods have been employed, the originals are to be disposed of in accordance with the guides of the county records commission.

Establishing a comprehensive county records program involves a cooperative effort between the Ohio Historical Society (OHS), the Ohio Network of American History Research Centers (ONAHRC) and county offices. Assistance is available from local records specialists of the Ohio Historical Society who will assist counties with the inventory, analysis, transfer, destruction and retention of county records.

Before any action to destroy or transfer county records can be taken, such action must be approved by the county records commission. For further information refer to OHIO

COUNTY RECORDS MANUAL and the LOCAL GOVERNMENT RECORDS HANDBOOK, both published by the Ohio Historical Society. These publications make recommendations concerning periods of retention for various records.

This chapter will deal with two topics. First, it will discuss the complex issue of public records. Section 149.43 of the Revised Code defines a public record, generally requires that public records be made available to the public, and exempts certain types of records from public disclosure. Table 128-1 at the end of this chapter explains ten common myths about Ohio's public records law, answering some commonly asked questions.

Second, this chapter will discuss the organization and functions of the county records commission. The Ohio Attorney General has published an OHIO SUNSHINE LAWS UPDATE that contains detailed information not only on Ohio's Public Records Law, but also includes useful information on the open meetings (SUNSHINE) law, and the personal information systems law, Chapter 1347 of the Revised Code that should be referred to for a complete analysis of these issues.

128.2 GENERAL PUBLIC RECORDS REQUIREMENTS

Ohio Revised Code section 149.43, Ohio's basic Public Records Law, is to be interpreted liberally to facilitate broader public access to public records. While the law makes certain exceptions, these are to be strictly construed. If there is a doubt as to the applicability of an exception it is usually resolved in favor of disclosure.

The law requires every public office to maintain its records in accordance with statutory requirements or record retention schedules approved by the county records commission. Records cannot be removed, transferred, destroyed or mutilated unless approved by the county records commission.

County offices are required to promptly prepare and make available for public inspection all public records at all reasonable times during regular business hours. If the office keeps records on microfilm, optical disk or on electronic or magnetic tapes, equipment must be provided to reproduce the record in a readable form (ORC 9.01). If a person requests a copy of a public record, it must be made available at cost and within a reasonable amount of time. "Cost" cannot include the portion of the salary paid to any person who prepares the record and makes it available to the public.

Finally, a county office is required to organize its filing system so that its records can be made available within a reasonable amount of time. In addition, each county office can only make such records as are necessary to the proper and adequate documentation of the organization, functions, policies, decisions, guides, and essential transactions of the office and for the protection of the legal and financial rights of the state and persons directly affected by the activities of the office (ORC 149.40).

While an earlier provision of the Public Records Law only required the county to give access to public records that the county was "required to keep", this provision of law no

longer exists. Therefore, it does not matter whether the record is required to be kept or not for it to be subject to disclosure. The mere fact that a record is maintained or comes into the possession of a county means that it is a public record.

128.3 DEFINITION OF PUBLIC RECORD

All records kept by a county office are public records and subject to disclosure, unless they are among the specified exceptions contained in the Ohio Revised Code. Records are defined as any document, device or item (including paper documents, photo copies, maps, photographs, computer discs and tape recordings) that is created, received, or comes under the jurisdiction of any county office that documents the offices functions, policies, decisions, guides, or other activities of the office. It should thus be evident that the definition of records is broad enough to include most items maintained in most offices.

128.4 PUBLIC RECORDS EXCEPTIONS

As has been stressed, most records kept by a county are public records and must be made available to the public. Ohio Revised Code section 149.43 (A), however, contains the following specific exceptions:

1. Medical records;
2. Records pertaining to probation and parole proceedings;
3. Records of unmarried minors seeking abortion and defined as confidential under ORC 2151.85 and ORC 2919.121;
 - Records pertaining to adoption proceedings, including adoption files maintained by the Department of Health under ORC section 3705.12;
 - Information contained in the putative father registry established by ORC section 3705.12;
 - Records pertaining to adoption proceedings that are confidential under ORC section 3107.42 or 3107.52;
 - Trial preparation records;
 - Confidential law enforcement investigatory records;
 - Records pertaining to mediation communications under ORC section 2710.03 or investigations of the Ohio Civil Rights Commission under ORC section 4112.05;
 - DNA records stored in the DNA database under ORC section 109.573;
 - Inmates records released by the Department of Rehabilitation and Correction to the Department of Youth Services under division (E) of ORC section 5120.21;
 - Records maintained by the Department of Youth Services pertaining to children released to the Department of Rehabilitation and Corrections under ORC section 5139.05;
 - Intellectual property records;

- Donor profile records;
- Records maintained by the Department of Job and Family Services under ORC section 5101;
- Peace officer residential and familial information;
- Information maintained by a county hospital that constitutes a trade secret as defined in ORC section 1333.61;
- Information pertaining to the recreational activities of a person under the age of eighteen;
- Records the release of which is prohibited by state or federal law.

The ORC contains numerous exceptions under number 19 above that do not appear in the text of the Public Records Law. Instead, these exceptions are contained in other sections of the ORC. A comprehensive list of these exceptions can be found in AN OHIO SUNSHINE LAW UPDATE, published by the Public Affairs Section of the Office of the Ohio Attorney General.

128.5 PUBLIC RECORDS AND CONFIDENTIALITY

The concept of confidentiality of public records is a complex legal issue and counsel should always be consulted when in doubt. Generally, confidentiality means that disclosure of information is limited. If a specific provision of state or federal law makes a category of information confidential, the terms of that provision of law controls to whom and under what circumstances a record may be released.

It is generally understood that some public records "must be released", others "may be released" and others "must not be released" (OAG 80-096). Determining which of these categories will apply is made in accordance with the statutory exceptions. The following guidelines may be helpful:

1. **MUST BE RELEASED**---Since most county records are public records, unless one of the exceptions is applicable, the information must be released.
2. **MAY BE RELEASED**---Some county records do not have to be released because one of the exceptions apply; however, the release is not otherwise prohibited by state or federal law. While these records are confidential under the Public Records Law and may not be disclosed to the public at large, they must be disclosed to the person who is the subject of the information as a result of Ohio personal information systems law, commonly referred to as the privacy act that will be discussed in the next chapter of this handbook.
3. **MUST NOT BE RELEASED**---Some county records cannot be disclosed because release is prohibited by state or federal law. Sanctions may exist for the improper release of such information. This category includes adoption records without the consent of a court. A myriad of case law has also defined the exact parameters of what must not be released in this category.

If a county office feels a record is accepted from disclosure the burden is on the county office to prove the exception is applicable. If some information on a document that is subject to disclosure is commingled with information that cannot be released, the confidential information may be "redacted" or obscured and the remainder must be disclosed. Where confidential information is so intertwined with information that must be released so as to reveal excepted information, the entire record can then be withheld.

128.6 PENALTIES FOR PUBLIC RECORDS VIOLATIONS

Public officials may not remove, destroy, transfer, mutilate or otherwise damage records contrary to the law or they are subject to civil actions in the common pleas court. In these cases public officials may be subject to two types of civil actions:

1. An action to enjoin the official, including the payment of attorney fees of the plaintiff.
2. An action for forfeiture of \$1,000 plus attorney fees by a plaintiff.

A person may file a mandamus action against any public official for the failure to allow inspection or failure to provide copies of public records. Again, in a mandamus action, attorney fees may be awarded at the discretion of the court.

128.7 RELATIONSHIP TO THE OHIO PRIVACY ACT

Ohio's personal information systems act, commonly referred to as the "privacy act" is contained in Chapter 1347 of the Revised Code. See chapter 129 of this handbook for detailed information about this topic. One of the common myths of county officials is that the privacy act may limit the public's right to access of records under the Public Records Law.

The fact is that the privacy act does not grant individuals the right of privacy in records kept by counties. Chapter 1347 may be used to refuse the release of records only if the information is one of the authorized exceptions. The real purpose of the privacy act is to protect individuals from excessive record keeping by the county and to establish additional rights of access to information about individuals to themselves.

128.8 MEMBERS OF COUNTY RECORDS COMMISSION

Each county has a county records commission composed of the following:

1. President of the Board of County Commissioners,
2. Prosecuting Attorney,
3. County Auditor,
4. County Recorder, and
5. Clerk of Courts.

The president of the county commissioners serves as the chairman of the county records commission (ORC 149.38).

128.9 POWERS AND DUTIES OF RECORDS COMMISSION

The following are the major powers and responsibilities of the county records commission:

1. To appoint a secretary who may be a member of the commission or any other individual;
2. To employ an archivist if the need exists;
3. To meet at least once every six months on the call of the chair;

4. To provide rules for the retention and disposal of county records;
5. To review applications for one-time records disposal and to review schedules of records retention and disposal. It may also at any time review any previously approved schedule and revise it (ORC 149.38);
6. To dispose of records that no longer have any administrative, fiscal, or legal value.

128.10 RECORDS DISPOSAL PROCEDURE

The following guides should be followed when disposing of records:

1. The office desiring to dispose of records should submit a disposal request to the county records commission. This involves preparation of a disposal request to the county records commission. Two disposal request forms are available (1) "Application for One-Time Records Disposal" and (2) "Schedule of Records Retention and Destruction."

In using an "Application for One-Time Records Disposal," an office requests permission to destroy or transfer particular records covering only specified dates. This is especially useful for destroying or transferring obsolete records. A "Schedule of Records Retention and Destruction," on the other hand, is designed to implement an ongoing records management program. The schedule would describe how long a record is to be retained, rather than listing the specified dates or records to be destroyed.

2. County records commission approves disposal request.
3. A copy of the disposal request must be sent to the state auditor. The state auditor has 60 days to stop the disposal of any records on the disposal list.
4. The Ohio Historical Society must be informed and given a 60 day opportunity to select records for custody or disposal that it deems to have continuing historical value.
5. After disposal is completed by a county office, a "Certificate of Records Disposal" should be completed and sent to the records commission with a copy to the Ohio Historical Society.

Counties should note that the former requirement of law that once records have been approved for disposal, a list be published in a newspaper, has been deleted from the law (ORC 149.38).

128.11 TRANSFER OF RECORDS

The execution of a written agreement is necessary to transfer records, and they may only be transferred to organizations capable of meeting accepted archival standards for the housing and use of the documents.

Some records may be transferred to a regional records center that serves all counties in Ohio.

If they are transferred to one of the seven members of the Ohio Networks of the American History Research Center locations, the county records will be arranged by county office and will be available to all persons on the same basis as before transfer to the center. Following are the seven centers that serve Ohio:

1. University of Akron.
2. Bowling Green State University.
3. University of Cincinnati.
4. Ohio University (Athens).
5. Wright State University (Dayton).
6. Ohio Historical Society (Columbus).

7. Western Reserve Historical Society (Cleveland)

TABLE 128-1 THE TOP TEN PUBLIC RECORDS MYTHS

(These are not the correct answers)

1. If you don't know the answer to a records request, it's best to "Just Say No." In the context of a public record request, "just saying no" almost always creates more problems than it solves. In all but the most routine situations, the right response to a public records request is that "it depends"---or perhaps more properly---"we'll be happy to allow inspection or provide copies to the extent permissible as soon as our staff legal counsel has had an opportunity to review the documents."

2. When confidential information is mixed on a page with material that isn't confidential, you don't have to turn over anything. If a given page includes both information, which must be released, and information, which does not have to be released, the latter must be "redacted" (usually by blacking it out) and the remainder must be disclosed. Where information accepted is "so intertwined" with the information otherwise required to be released as to reveal the excepted information from the context, the record itself, and not just the excepted information, may be withheld.

3. Always demand a signature on the records request form. The Public Records Act doesn't permit a public office to require that a person fill out a form before they can see records. The bottom line: a public office can ask (nicely) a person to fill out an "information request form," but it can't require that the form be filled out before the person gets to see the records. Neither does the Public Records Act require that the person put his request in a written correspondence. A request may probably be an oral one. Public record requests also must be fulfilled by United States mail if the requestor asks them to be sent by mail.

4. A personal privacy balancing test must be applied each time a request is made for public records act. This issue arises most commonly with respect to personnel files. The common law right of privacy in Ohio (Housh v Peth, 165 Ohio St. 35), is not a state law which prohibits the release of records. There is no statutory "balancing test" where an individual's right of privacy is weighed against the public's "right to know." Absent an otherwise applicable exception, information contained in personnel files is generally public. The balancing of competing public and private interests has been done by the General Assembly and the competing policy considerations have been factored into the exceptions to the Public Records Act.

5. If no rule or statute requires a record to be kept, the record doesn't have to be disclosed. The Public Records Act requires only that the record be created, received by, or come under the jurisdiction of a public office before it is subject to disclosure. The Act is not limited to records that must specifically be created or maintained under state statute or rule. The language in the Public Records Act that used to refer to records that were "required to be kept" was deleted in a 1985 amendment.

6. If an investigation is ongoing, the investigative files are automatically closed. Just because an investigation is ongoing doesn't mean that all of the investigatory records are exempt from disclosure. Similarly, some of the information in an "inactive" investigation, i.e., one that has not yet resulted in charges being brought, may not have to be disclosed.

7. If information is not kept on paper, it doesn't have to be released. Information kept on computer disks or tapes, audio or videotape, microfilm, microfiche, or just about any other form of media imaginable is covered by the Public Records Act. Senate Bill 78 of the 123rd General Assembly, which became effective in December 1999, allows record requesters to receive records either 1) on paper; 2) in the same medium in which the office keeps the record; or 3) in any other medium requested that the office determines can be provided "as an integral part of normal operations."

8. A settlement agreement can require that records be treated as confidential. Parties to a public contract---including a settlement agreement---cannot nullify the Public Record Act's guarantees of public access to public records. A public office's assurance of confidentiality, alone, cannot protect documents from public disclosure. Absent a statutory exception, a "public entity cannot enter into enforceable promises of confidentiality with respect to public records."

9. If you don't need a record, just "pitch it." Records must only be destroyed in accordance with properly approved record retention schedules. If no retention schedule addresses a given classification of records, the records cannot be destroyed until the schedule is appropriately amended.

10. If this kind of request has come through the office before, you don't need to bother legal counsel. All too often, counsel's advice from years ago gets handed down from generation-to-generation and slowly becomes ingrained as "departmental policy." The problem with this is that the Public Records Act has been amended and interpreted so often that last year's---or even last months---right answer may be today's wrong answer.

FOR THE COMPLETE PLAN GO TO THIS LINK ON THE
SUMMIT COUNTY OHIO WEBSITE

<https://co.summitoh.net/index.php/emergency-operations-plan>